

ARTICLE 2

RIGHTS OF THE PARTIES AND EMPLOYEES

PART 1. RIGHTS OF THE EMPLOYEE:

SECTION 1. Each employee in the unit shall have the right to form, join , or assist the Union or to refrain from any such activity, freely and without fear of penalty or reprisal. Such right includes the right to act for the Union in the capacity of a representative, and to engage in collective bargaining with respect to conditions of employment through official representatives of the Union.

a. Nothing in the agreement shall require an employee to become or to remain a member of a labor organization, or to pay money to the organization except pursuant to a voluntary, written authorization by a member for the payment of dues through payroll deductions. In the exercise of this right, employees and their representative shall be free from interference, coercion, restraint and discrimination. Union membership shall not be encouraged or discouraged by any supervisor or management official.

b. The terms of this agreement do not preclude any employee of the unit from personally bringing matters of concern to the attention of appropriate officials in accordance with applicable laws and regulations.

PART II. RIGHTS OF THE UNION:

SECTION 1. The Union has the right to request to negotiate with the employer on personnel policies, programs and procedures related to conditions of employment which are within the authority of the employer. These include, but are not limited to such matters as safety, training, labor-management cooperation, employee services, method of adjusting grievances, the procedure for the granting of leave, promotion plans, demotion procedures and hours of work.

a. The provisions of this article shall apply to all supplemental, implementing subsidiary or informal agreements between the parties.

b. In addition the Union has the right to negotiate the methods and procedures that will be used in implementing all existing and future laws, rules, regulations and policy changes affecting working conditions, and which are within the employer's authority to negotiate.

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c. The Union shall be given the opportunity by management to be represented in any formal discussion between one or more representatives of the employer and one or more employees in the unit or their representatives concerning any grievance or any personnel policy or practices or other general conditions of employment; this is the right of the Union to be present at all meetings where there are formal discussions between employees and management concerning conditions of employment. Management shall notify the Union of such meetings. This right to be present does not extend to an informal discussion of personal problems, and everyday work-related communications between supervisors and employees.

PART III. RIGHTS OF THE EMPLOYER

SECTION 1. In accordance with the Civil Service Reform act of 1978, hereinafter referred to as "The Act", the rights of the Employer include the following:

a. To determine the mission, budget, organization, number of employees and internal security practices of the Employer;

b. To hire, assign, direct, lay-off, and retain employees in the command or to suspend, remove, reduce in-grade or pay, or take other disciplinary action against such employees:

c. To assign work, to make determinations concerning contracting out, and to determine the personnel by which CBC operations shall be conducted;

d. To make selections for appointments from among properly ranked and certified candidates for promotion or any other appropriate source;

e. To take whatever actions may be necessary to carry out the employer's mission during emergencies.

SECTION 2. The right to make reasonable rules and regulations is an acknowledged function to the Employer, subject to any limitations set forth in this agreement. Nothing within this agreement shall preclude, at the election of the employer, negotiating upon the numbers, types and grades of employees or positions assigned to any organization subdivision, work project, tour of duty, or on the technology, method and means of performing work.

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